

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**SECURITIES AND EXCHANGE COMMISSION,
Plaintiff,**

VS.

STAR EXPLORATION, INC., et al.
Defendants,

and

**STAR GEORGETOWN 1 JOINT VENTURE, et al.
Relief Defendants.**

**Civil Action No.:
3-08CV2248-O**

**PLAINTIFF’S MOTION TO DISMISS REMAINING CLAIMS AGAINST
DEFENDANT STAR EXPLORATION, INC. AND RELIEF DEFENDANTS**

Plaintiff Securities and Exchange Commission hereby moves to dismiss the remaining claims against Defendant Star Exploration, Inc., and Relief Defendants Star Georgetown 1 Joint Venture, Star Mineral Royalty 1-A, LP, Star Mineral Royalty 1-B, LP, Star Discovery, LP, Star Hamilton 2 Joint Venture, Lagniappe Oil & Gas Leases, LLC, Star Exploration Leasing, LLC, Discovery Drilling, LLC, Discovery Rigs, LLC, Terra Ferma Operating, LLC, Star Financial International, LLP, 1 AP.com, Inc., and Zeroday Technologies, Inc. In support, Plaintiff states:

1. The Commission filed its Complaint on December 22, 2008.
2. On April 22, 2009, the Court entered interlocutory judgment as to Defendant Gurgainers, which provided injunctive relief.
3. On May 18, 2011, the Court entered Final Judgment Against Defendant Gurgainers, enjoining him from violating the federal securities laws and finding him liable for disgorgement in the amount of \$1,498,712. Based upon the Receiver's reports that he has taken possession of Defendants' assets and liquidated them, Defendant Gurgainers was credited dollar

for dollar \$1,498,712. Therefore, the Court did not order the payment of monetary penalties or prejudgment interest.

4. The Commission now moves to dismiss its monetary claims, including disgorgement, prejudgment interest and civil penalties, against Defendant Star Exploration, Inc. because the assets of this entity are under the control of a Court-appointed receiver and the entity will be dissolved by the receiver.

5. With respect to Relief Defendants the Commission hereby moves to dismiss, with prejudice, all claims against them, including claims for disgorgement and prejudgment interest, because the assets of these entities are under the control of a court appointed receiver and the entities will be dissolved by the receiver.

6. The Commission respectfully requests that its motion be granted and that the Court award all additional relief to which the Commission may be entitled.

Dated: May 24, 2011.

Respectfully submitted,

s/ Toby M. Galloway

Toby M. Galloway

Texas Bar No. 00790733

Attorney for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

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CERTIFICATE OF SERVICE

I affirm that on May 24, 2011, I electronically filed the foregoing *Motion to Dismiss* with the Clerk of the Court for the Northern District of Texas, Dallas Division, by using the CM/ECF system which will send a notice of electronic filing to all counsel of record and CM/ECF participants.

I further certify that on May 24, 2011, I served a true and correct copy of the foregoing document and the notice of electronic filing by depositing a copy thereof in an authorized U.S. Mail depository at Fort Worth, Texas, with postage prepaid and addressed to the following parties and persons entitled to notice that are non-CM/ECF participants:

James T. Gurgainers
1323 Louise Street, Apartment C
Alexandria, Louisiana 71301

William R Sudela
Crady Jewett & McCulley LLP
2727 Allen Pkwy
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Houston, TX 77019

s/ Toby M. Galloway
Toby M. Galloway